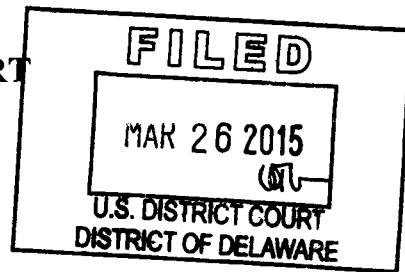


(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WANDELL L. GILES

PLAINTIFF



(In the space above enter the full name(s) of the plaintiff(s).)

15 - 268

Civ. Action No. _____

-against-

(To be assigned by Clerk's
Office)

PROBATION OFFICER JUSTIN K. KING, COMPLAINT

COMMISSIONER OF CORRECTIONS / (Pro Se Prisoner)

FEMALE OFFICER WHO ASSIGNED

Jury Demand?

Yes

No

ME TO PROBATION OFFICER KING ET AL

(In the space above enter the full name(s) of the defendant(s).

If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

I. COMPLAINT

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

Check one:

- 42 U.S.C. § 1983 (state, county, or municipal defendants)

Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)

II. PLAINTIFF INFORMATION

GILES WARDELL L

Name (Last, First, MI)

Aliases

00169355

Prisoner ID #

HOWARD R YOUNG CORRECTIONAL INSTITUTE

Place of Detention

1301 E. 12TH STREET

Institutional Address

NEW CASTLE COUNTY

WILMINGTON DELAWARE

County, City

State

1980
Zip Code

III. PRISONER STATUS

Indicate whether you are a prisoner or other confined person as follows:

- Pretrial detainee WAITING FOR VIOLATION OF PROBATION HEARING

Civilly committed detainee

Immigration detainee

Convicted and sentenced state prisoner ~~RECORDED~~

Convicted and sentenced federal prisoner

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

IV. DEFENDANT(S) INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1:	<u>KING JUSTIN</u>	
	Name (Last, First)	
	<u>PROBATION OFFICER</u>	
Current Job Title		
<u>DO 54 GEORGETOWN PROBATION & PAROLE</u>		
<u>22455 DUPONT BLVD</u>		
Current Work Address		
<u>GEORGETOWN DELAWARE</u>		<u>19947</u>
County, City	State	Zip Code

Defendant 2:	<u>?) ROBERT COUPE</u>	
	Name (Last, First)	
	<u>COMMISSIONER OF CORRECTIONS</u>	
Current Job Title	?	
Current Work Address	?	
County, City	State	Zip Code

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

Defendant(s) Continued

Defendant 3: ? PROBATION LADY OR SECRETARY 14 TO
Name (Last, First) SIGNER ME UP FOR PROBATION

WILL DETERMINE LATER

Current Job Title

Current Work Address

GEORGETOWN DELAWARE 19947
County, City State Zip Code

County, City

State

Zip Code

Defendant 4:

Name (Last, First)

Current Job Title

Current Work Address

County, City

State

Zip Code

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

V. STATEMENT OF CLAIM

Place(s) of occurrence:

PROBATION & PAROLE OFFICE GEORGETOWN DE

Date(s) of occurrence: ON OR AROUND 12/8/2014

State which of your federal constitutional or federal statutory rights have been violated:

1ST, 4TH, 5TH, 6TH, 8TH AND 14TH AMONG
OTHERS

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.

FACTS:

I WAS RETALIATED AGAINST BY THE DEPARTMENT OF CORRECTIONS FOR PRIOR CIVIL LITIGATION E.G GILES v. CAMPBELL.

I WAS GIVEN PROBATION BY JUDGE STOKES ON 12/5/2014 FOR AN OLD AGGRAVATED MENACING CHARGE.

I WENT AND SIGNED UP AND I WAS TOLD BY OFFICER JUSTIN KING THAT THE LADY WHO SIGNED ME UP FOR PROBATION SIGN ME UP AS A SEX OFFENDER. I PLEAEDIFF AND MY MOTHER ERNESTINE ONEY WHO IS A RETIRED DOC AND PROBATION AND PAROLE OFFICER WAS PRESENT WHEN OFFICER JUSTIN KING SAID THIS. I AND MY MOTHER TOLD OFFICER JUSTIN KING THAT THERE

What happened to you?

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

Who did
what?

HAD TO BE SOMS KIND OF MISTAKE,
OFFICER KING STATED HE WOULD LOOK
INTO, AFTER plaintIFF AND my
MOTHER TOLD HIM THAT I HAVE
NEVER BEEN ORDERED BY A JUDGE
AS A SEX OFFENDER OR BEEN
CONVECTED AS A SEX OFFENSE.
LATER ON ANOTHER DAY OFFICER
JUSTIN KING TOLD ME THAT I
EITHER COMPLY WITH THE SEX
OFFENDER PROBATION OR GO TO
JAIL. I TOLD HIM THAT I WAS
A MENTAL HEALTH PATIENT WHO
WAS COURT ORDERED TO HAVE A
MENTAL HEALTH EVALUATION. OFFICER
KING TOLD ME SO LATTER, THAT THE
ONLY EVALUATION I WAS GETTING
WAS A SEX OFFENDER EVALUATION.
I TOLD OFFICER KING THAT I
WANTED TO GO BACK IN FRONT OF
JUDGE STOKES AND HE STATED
ALL THIS WAS IN JUDGE STOKES
ORDER. I TOLD HIM HE WAS NOT
TELLING THE TRUTH. OFFICER KING
TOLD ME THAT I WAS NOT GOING
TO ENJOY THE SETTLEMENT MONEY
I RECEIVED FROM GILES V. CAMPBELL.
I SUFFERED A GREAT DEBT
BECAUSE OF THE RETALIATION
AND SEX OFFENDER CLASSIFICATION

(Decl. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

Was anyone
else
involved?

HOW I SUFFERED WAS I ULTIMATELY
 DID NOT GET my MENTAL HEALTH
 NEEDS AND MEDICATIONS, DUE
 TO THE WRONG DONE TO ME, WHICH
 IT IS DOCUMENTED THAT I AM
 BIPOLAR AND SUFFER ANXIETY AND
 TOOK MENTAL HEALTH MEDICATION,
 WHICH VIOLATED THE HIPPA.
 ALSO I ENDURED MENTAL RELAPSE
 DUE TO OFFICER KING DID
 THESE THINGS AND DID NOT
 SIGN ME UP FOR THE MENTAL
 HEALTH EVALUATION AS COURT
 ORDER BY JUDGE STOKES. MY
 MENTAL HEALTH MEDICATION
 INELIBURN HELPED WITH my
 MENTAL HEALTH DIAGNOSIS AND
 my DRUG ADDICTION, AND HELPED
 me MAKE BETTER DECISIONS.
 I ALSO LOST JOB OPPORTUNITY
 AND WAS DENIED OPPORTUNITY
 TO CERTAIN PROGRAMS, BECAUSE
 ALOT OF PROGRAMS BAR SEX
 OFFENDERS. I AM NOT A SEX
 OFFENDER AND WHAT THEY DID
 TO ME WAS AND IS WRONG.
 FURTHER I TOLD OFFICER KING
 THAT HE AND DOC COULD NOT
 JUST SENTENCE ON THEIR OWN
 OR IGNORE my Real SENTENCE
 And OFFICER KING STATED THAT DOC
 Has A RULE THAT WOULD ALLOW THIS
 AND WAS APPROVED BY THE COMMISSIONER
 AND DOC. ULTIMATELY I ended up IN

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

PRISON ON A VIOLATION OF PROBATION

AS CASE WAS TYPE SEX OFFENDER AMONG
OTHER VIOLATION, ALSO HE KNEW MY LIFE
WAS IN DANGER AND
DO NOT NOTIFY COUNTS

VI. ADMINISTRATIVE PROCEDURES

WARNING: Prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.

Is there a grievance procedure available at your institution?

Yes No

Have you filed a grievance concerning the facts relating to this complaint?

Yes No

If no, explain why not:

Is the grievance process completed?

Yes No

If no, explain why not:

THEY REFUSED TO EVEN ADDRESS
MY GRIEVANCE

VII. RELIEF

State briefly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I WANT THE COUNT TO PROTECT
ME FROM RETALIATION AND ANY
FURTHER UNLESS I AM SUFFERING
AND MY NAME HAS BEEN
MARKED AND I'VE BEEN CLASSIFIED
A SEX OFFENDER. I WANT MONETARY
RELIEF, PUNITIVE DAMAGES AND
A HIGHLY PUBLIC APOLOGY. I WANT DAMAGES
FOR LOSS OF MARRIAGE AND JOB
OPPORTUNITY AND FOR DEFAMATION OR HARM

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

WITHOUT PENALOGICAL JUSTIFICATION. I WAS ALSO
~~THREATENED~~

VIII. PRISONER'S LITIGATION HISTORY

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in forma pauperis in federal court if that prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. §1915(g).

Have you brought any other lawsuits in state or federal court while a prisoner?

Yes No

If yes, how many? 2

Number each different lawsuit below and include the following:

- Name of case (including defendants' names), court, and docket number
- Nature of claim made
- How did it end? (For example, if it was dismissed, appealed, or is still pending, explain below.)

GILES V Campbell

I WROTE A RECEIVED MONEY
SETTLEMENT THE MONTH OF
DECEMBER 2014. THEN ALL THIS
STARTED TO OCCUR.

I WAS REPRESENTED BY
THE LAW FIRM DLA PIPER

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

IX. PLAINTIFF'S DECLARATION AND WARNING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Plaintiff must sign and date the complaint and provide prison identification number and prison address.

Dated

3/23/2015

Marcell Giles
Plaintiff's Signature

Printed Name (Last, First, MI)

GILES MARCELL L

Prison Identification #

00164355

HOWARD R YOUNG CORRECTIONAL INSTITUTE

1301 E. 12TH STREET WILMINGTON DE 19801

Prison Address

City

State

Zip Code

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

